

**ICEX/SIDE**

**18 December 1967**

**MEMORANDUM FOR THE RECORD**

**SUBJECT: Civilian Security Suspects—Legal Processing**

**References: A. Memo 31 November 1967, Civilian Security Suspects—Military Courts**

**B. Memo 28 November 1967, Legal Processing of Civilian Security Suspects**

**C. Memo 11 November 1967, Legal Processing of Civilian Security Suspects**

1. A principal objective of the ICEX/SIDE program is to improve and expedite the legal processing of suspected security offenders. The Provincial Security Committees perform a legal screening function in regard to these detainees and may also initiate orders for detention. The military courts try and sentence Civilian Security Suspects, during the present period of national crisis.

2. We must proceed at once to examine the military court and Security Committee systems, and determine what should be done to increase their effectiveness. An increase in the number of Military Field Courts has been authorized by a recent Decree-Law; recommendations must now be formulated as to action in this regard.

3. As indicated in References, the next step is to obtain more and better information than we now have on the workload and operations of the military courts and the Security Committees. The following information is needed on a periodic basis:

**Military Courts (Regular and Field)**

**Backlog of cases**

- awaiting trial
- awaiting decision

**New cases received during period**

**Cases decided**

Provincial Security Committees

Backlog - security suspects waiting processing  
by PSC

Additional suspects received during period

Released as Innocent Civilians

Referred to military courts for trial

Detained by order of Security Committee  
(The order is actually signed in Saigon.)

4. The Staff Judge Advocate, MACV, has been asked to obtain and furnish the above information on the military courts (Attachment A).

5. The needed information on the Provincial Security Committees may be difficult to obtain. Comments are made on this in paragraphs 11 and 12 of Reference B. Perhaps the ICEX representative or correspondent in each Province should be given this requirement. PSC may be asked to include, in its monthly reports of prison populations, the input of security offenders to the prison system, with a breakdown showing those detained by order of the Security Committees and those sentenced by the military courts.

6. With more adequate information thus in hand, it will be possible to analyze the situation and make specific recommendations for improvement.

Legal Counsel

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